IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
W.P.L.NO.1752 OF 2006

Sunil Bharadkar and
8 Ors. ..Petitioners
Vs.
State of Mah. & 3 Ors. ..Respondents

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Mr.V.A.Sugdare with Mr.P.J. Thorat Adv.
for Petitioners
Mr.R.M.Sawant Govt.Pleader for
Respondent Nos.1 and 4
Mrs.P.A.Purandhare Adv. for Respondent Nos.2 and 3

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CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : AUGUST 1,2006

P.C.

1. We have heard the parties and also considered the stand of the Respondents. In view of that, the petition can be disposed of in the following terms:

(1) Respondents to allot to the Petitioners alternate accommodation at Poonam Nagar Dindoshi. Respondent No.4 MMRDA vide its letter dated 31.7.2006 has permitted the petitioners to use the premises allotted to them for commercial purposes as is permissible in the residential zone, considering the fact MMRDA is the Planning Authority in the area. In other words, the petitioners will be entitled to use the said premises for commercial purposes without any

further permission from MMRDA.

(2) The Respondents would permit the petitioners to continue at the present site upto 10.8.2006. The petitioners to remove themselves latest by 11.8.2006 in order to enable the respondents to demolish the structures in question. In case, the petitioners do not remove themselves, respondents are at liberty to remove the petitioners on 11.8.2006. The time granted vide order dated 21.7.2006 in W.P.(L) No. 1674 of 2006 is extended in terms of this clause.

(3) In view of the above, the petitioners have no further claims and all their contentions/objections relating to the impugned notice as well as the plea relating to alternate accommodation allotted to them, stand concluded.

(4) Rule made absolute in the aforesaid terms.

(5) There shall be no order as to costs.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI,J.]